

TAYLOR (R.L.) *for.*
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MESSAGE

— OF —

GOV. ROBERT L. TAYLOR

— TO THE —

FORTY-SIXTH GENERAL ASSEMBLY

— OF THE —

STATE OF TENNESSEE.

THURSDAY, JANUARY 10, 1889.



NASHVILLE, TENN.:

MARSHALL & BRUCE, PRINTERS TO THE STATE.

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GOVERNOR'S MESSAGE.

Gentlemen of the Senate and House of Representatives:

The auspicious conditions that surround the material interests of the Commonwealth in almost every avenue of business and enterprise foreshadow a rapid, progressive development that will soon place our State in the front rank of the best and richest of them all. I congratulate you, gentlemen, and the people upon so happy a condition of affairs. The rich possibilities that lie before us emphasize the grave responsibility that rests upon the chosen servants of the people. With full confidence in the sagacity and patriotism of the individual members of the Forty-sixth General Assembly I call upon you, in the name of the people, to justify that confidence by enacting such wise laws as will contribute to the happiness of the people and the well-being of the Commonwealth. I will submit for your consideration some of the principal questions, and recommend such legislation as to me seems to be demanded.

THE FINANCES.

Tennessee's financial history has been a series of remarkable events familiar to all; but patriotic men, with great wisdom and integrity of purpose, have solved the perplexing problem; and I am proud to point you to the first bright rift in the dark cloud of debt and disaster which has so long hung over us. It will be observed that the funding of our bonds is practically complete, and that the debt is compacted into a shape to be more easily handled. It is a remarkable tribute to the wisdom that conceived and the genius that executed this transposition that it has been done without increasing the taxes upon the people and without failure to meet promptly every obligation, both current and extraordinary. The immense extraordinary ex-



pense incurred by the building of our new charitable institutions and the payment of the State bank debt, made it necessary, in order to meet the semi-annual interest upon the funded debt, to borrow some considerable sums of money. But for these extraordinary expenditures the State would have been able to meet the interest out of her own treasury, and would have had quite a respectable sum to pass to the Sinking Fund. This achievement foreshadows what will occur within the next two years. Tennessee will be emancipated from the thralldom of unwieldy obligations, and plant her feet once more upon the solid rock. The present tax rate is entirely adequate to consummate this end; and until this long-sought result is reached, it occurs to me that the unanimous voice of Tennesseans, could it be heard, would demand that the means be not decreased.

The current treasury receipts during the biennial term show an increase over that of the term before of \$223,751.92, the total receipts being \$3,694,996.37. This increase is due to the natural increase in property, to closer collections and prompt settlements by Trustees, demonstrating the better ability of the people to pay. The increased valuation of property, and the new property which the new assessment law ferrets out, has not yet been materially discernable in the collections, but will be manifest in the collections now being made. The valuation of property has increased fifty-eight millions, giving a net increase of property tax for the current year of about \$170,000. The total expenditures have been \$3,408,761.69, divided as follows: Interest on the debt, \$1,144,718.50; Hospital for Insane for West Tennessee, \$144,063.84; Bank of Tennessee obligations, \$373,114.43; interest on loans, \$34,655.82; loan account, \$262,500. The balance was currently expended. There have been borrowed at various times amounts aggregating \$966,002.10. Of this amount \$262,500 has been paid, leaving a balance chargeable to loan of \$703,502.10. The estimates for the current year show that the current expenses can be met and this amount reduced to about \$200,000 within the next two months, thus stopping the accruing interest. These loans were made necessary, and were foreseen by the last Legislature that authorized them by the building and completion of the two new

asylums, by the funding of the bonds, by the Bank of Tennessee obligations, and by other smaller extraordinary appropriations. It will be observed that it is imperatively necessary that the present valuation of property must be maintained in order for the State to meet its obligations under the existing tax rate. With this rate continued, within the next two years the State will have entirely recovered from these extraordinary drains upon its resources, and will be able to meet every obligation out of its current receipts. •

THE ASSESSMENT LAW.

Experience has demonstrated the futility of all effort to make assessments exactly equal upon all classes. It seems to be a problem incapable of exact solution, although there has been no lack of diligence on the part of our General Assemblies to tax all men and all interests alike. Our present system has brought good results at least in that it has yielded more revenue, but it is questionable if this has not been accomplished at the expense of exact equality of assessment. Your duty is to see that all citizens stand equal, that no interest should be over taxed, that lands should have first concession, being the source of all the substance of the people; that industrial enterprises shall have the least possible embargo laid upon it, as along this line lies the road to our greatest wealth. The law should be so amended as to equalize as far as possible the burdens of taxation, and I need not admonish you carefully to investigate to see wherein its defects lie.

THE PENITENTIARY.

Your honorable bodies are confronted with that ever-recurring perplexity—the prison problem. As you are aware, the present lease expires before another Legislature shall assemble, and it devolves upon you to make provision for the safe-keeping and disposition of our convicts. There seems to be an imperative demand for the removal of the prison beyond the limits of the city of Nashville. If the lease is discontinued it will be necessary to enlarge the prison to three times its present

capacity, as there are about 1,350 prisoners, and accommodation sufficient only for 550. It would be better, therefore, to determine the question of removal at once, so that the necessary buildings may be erected upon the new site. The present property will be very valuable if its use as a prison is discontinued, and the price that might be realized would go far toward paying for a new site where land is less valuable, and erect buildings sufficient to safely keep the entire number. The arrangement for the cells within the prison as it now exists is deplorably lacking in sanitary precaution, and if the prison is not removed, common humanity demands a complete remodeling of the wings.

There has been much public criticism of the lease system, and while there are doubtless some ground for objection inherent in such disposition and use of the State's prisoners, I have yet to hear of a feasible plan for utilizing the labor of convicts that is not subject to the objection that it brings convict labor in competition with free labor. When that problem is solved we will have reached the millennium of prison management. These matters call for gravest consideration, and their settlement will require the combined wisdom of the Legislature. I can only recommend that you make such disposition of the convicts of Tennessee as will put them least in competition with free labor. I am of opinion, however, that nothing better can be done than to re-lease the prison for a term, in order that fair and intelligent consideration may be given to this perplexing question, looking to its final settlement.

During the past two years the management of our prisons has been exceptionally good, the officers have been faithful and efficient, and every obligation to the State has been promptly met. The power lodged in the executive to grant pardons for good cause has been subjected to an unwarranted wholesale onslaught. The executive office is overwhelmed with applications, petitions, and recommendations for pardons; and, in view of the fact that to give them proper consideration and do justice to applicants would necessarily consume nearly his entire time and attention, which should be directed to matters of more

moment, and of the further fact that there are numbers of meritorious claims under all manner of mitigating conditions, which appeal to executive clemency, and which deserve consideration in the interest of humanity, I would respectfully recommend that your honorable bodies consider the advisability of instituting a pardoning board, whose duty it shall be to examine all applications for pardon, and make such recommendations to the executive as justice and mercy may demand.

REFORMATORY INSTITUTION.

I desire especially to recommend the establishment and maintenance of a reform school for criminal children. Children should not be placed in the penitentiary; it is barbarous and cruel and ruinous to them. I have made it a practice to turn them out; and, having no place to send them to be reformed, they have been sent home, some of them to be reformed by home influences and by the check thrown upon a budding career of crime by a conviction, and others to be returned for other offenses. To place a child in the society of felons for years is a cruel murder of the moral instincts that might be awakened under proper influences, and make a useful citizen for the State and save a soul from damnation. No higher duty devolves upon your honorable bodies than to provide a reformatory institution where these young criminals may be educated away from crime, and I therefore urgently suggest that ample measures be taken to effect it.

THE PUBLIC SCHOOLS.

The Public School System of Tennessee has had a hard struggle to keep pace with the progress and advancement of the times. Notwithstanding the fact that the education of the masses overshadows all other interests, we have not, as yet, been able to make adequate provisions for them. That they are efficient and the results are glorious in a degree, is attributable largely to the zeal and self-sacrificing labors of the teachers of the State—a class of men and women with perhaps the most sacred and responsible trust that can be committed to mortals, and less adequately compensated. The great ability

manifested in the management of the system, and the achievements made in bringing it to a more perfect status, appeal to your honorable bodies for every possible aid and encouragement, to the end that the full measure of benefits may be realized by the people. Experts are of opinion that the law as it exists is ample and wise, and, with proper administration and sufficient means, can be made to answer the ends sought. I recommend, however, that they be amended by some appropriate legislation to enforce the law requiring the elements of scientific agriculture to be taught in the public schools, or to amend that law so that proper text-books may be utilized. Farming is a science (a fact too little appreciated), and there has latterly been given an impetus to the effort to institute better facilities for inculcating the scientific principles that are involved that promises a revolution in practices that will materially enhance results, and lighten the labor in attaining them. It is eminently proper, therefore, that the boy who intends to farm shall be trained from the start, and it would be better for all if there was a more general and perfect knowledge at least of the rudiments of this great science.

The Superintendent's report shows a most remarkable increase of children, and a corresponding increase of facilities and means and effort to meet the increased obligation and demand. It is worthy of your closest attention. Our responsibilities are becoming enormous, and they call for correspondingly increased attention and care.

It is due also to the public schools that the Legislature take some action that will insure a closer collection of the poll-taxes, in which \$100,000 is lost annually, and require trustees to be more careful to keep inviolate and rightfully appropriate to its proper purpose the moneys collected for the school fund. There has been gross carelessness in this respect in some places, as the report shows, and it calls for investigation and a remedy. The annual convention of school superintendents, inaugurated by our Superintendent, is destined to be a potent factor in bringing our public schools to the highest possible grade of perfection.

UNIVERSITY OF TENNESSEE.

It is my pleasure to say that from a personal official inspection of the premises and apparatus, and from the reports of its operations, that this splendid institution is on a more solid basis and in a more flourishing condition than ever before in its history. The work done under the present management is phenomenal, and challenges the applause and merits the hearty congratulation of the people to whom it belongs. Its adaptability to meet the ends for which it was instituted has been many times multiplied. Neat and commodious new buildings have been erected, the older ones improved, the grounds graded and beautified, and ample and expensive apparatus and machinery supplied in all the departments for the training of boys in mechanical and manual employments, as well as in scientific pursuits. The agricultural farm adjoining has been wonderfully improved, and affords splendid opportunity for scientific experiments. Its president and principal, Dr. Chas. W. Dabney, a man of remarkable sagacity and energetic expedient, has effected a complete revolution of method, and arrested the decay that up to two years ago marked its gradual downfall, until now its face is turned toward the morning, and it is in full career toward the very highest plane of educational usefulness. There has been a considerable outlay of money, individually expended by its managers and promoters to bring the University up to its present standard—erect the buildings, provide the apparatus, etc.—and, in view of this, it seems to be incumbent upon the General Assembly to examine into its merits and its work, and to afford it such succor and aid as may be just and right.

NORMAL COLLEGE.

The State Normal College is making rapid advancement. One of the most vital interests of the people is here involved. Its mission is to train the teachers who are to mold and fashion the minds of our children—of those who will one day make the State—and it is therefore of supremest moment that it be made as perfect in method as possible, and that all means be exhausted to have its work done well. It is under excellent management,

and if the State continues to do her duty by it she will not only be compensated in the good results upon our teachers and children, but she will have at an early day one of the most liberally endowed and richly appointed Normal Institutions in the country to adorn our capital city and shed its radiance of usefulness abroad over the South. In view of the fact that this institution is already liberally sustained from the Peabody Fund, and that it is probable that it may be selected as the site and nucleus for the Central Southern Normal Institution provided for in the will of the great philanthropist, I suggest and recommend that its name be amended so that it shall be The Peabody Normal College. The usual appropriation for its support should be provided.

THE TENNESSEE INDUSTRIAL SCHOOL.

The good done by this institution is only limited by its capacity, and it is manifest from the success that characterizes its early career that it is destined to do a great beneficent work that will tell upon the youth of the country. You cannot fail to accord it that aid its merits deserve.

NATIONAL EDUCATIONAL ASSOCIATION.

Your honorable predecessors, by resolution, invited the National Educational Association to hold its annual session for 1888 in the city of Nashville, and that invitation was accepted except as to the time, the Association determining to hold its annual convention for 1889 in this city at a time to be fixed in the summer. This will be the greatest and most important educational conference that ever assembled in the South, bringing together many thousands of the leading educators and men and women of letters from all the states of the Union, and the momentous interests that are involved, both in the salutary effect it will have upon our educational interests and the benefits that may be expected to accrue to the State in a general way growing out of an exhibition of our resources and advantages to such hosts of intelligent strangers, as well as a care for that reputation for munificent hospitality which characterizes

Tennessee abroad, will doubtless move your honorable bodies to take such action looking to the welcome and entertainment of this Association, and the promotion of its work, and its appropriation to our benefit as may be necessary and wise.

An exposition of our products and resources is contemplated, together with an Art Exhibition, and it would seem that the occasion affords best opportunity for publishing our advantages that could occur, and would warrant your honorable bodies into taking control of it and making it a State Exposition. It comes so opportunely in the early history of our development, and can be made to yield so richly in benefits, that it is our manifest duty to seize upon and utilize it to the uttermost.

PEABODY BONDS.

I have received many pressing communications from the managers of the Baltimore Peabody Institute with respect to certain bonds of our State held by that institution, and asking that they be recognized and funded upon the same basis as those held by other eleemosynary institutions. I recommend that your honorable bodies investigate this matter and do whatever is just in the premises.

NORMAL INSTITUTES.

The Normal Institutes held in various parts of the State under the supervision of the Superintendent of Public Instruction have been largely promotive of our school interests, and under the influences created by consultation and comparison of views the standard of teaching is being continually raised and promises most excellent results. The Superintendent was hampered greatly in this commendable work by the failure of your honorable predecessors to allow the expense of traveling necessarily incident always heretofore allowed. The good work done warrants his reimbursement, and provision should be made for the future.

EDUCATIONAL ASYLUMS.

I need but call your attention to the fact that our Deaf and Dumb Asylum at Knoxville, and our Blind Asylum at Nashville are in splendid condition and are doing good work. They richly deserve the charitable aid usually given them, and to be placed in condition to meet every demand made upon them for the care of the unfortunates they are designed to succor.

In the message which I had the honor to communicate to your honorable predecessors two years ago I felt impelled, by a sense of duty to the children of the State, to make certain suggestions with respect to Federal aid to education, stripped of Federal supervision. I now feel impelled by another sense of duty, which enjoins me from making any similar or dissimilar suggestions, to pass on to the consideration of other questions, and I therefore invite your attention to

INSANE ASYLUMS.

The asylum at Lyon's View, in East Tennessee, and the one at Nashville are in fine condition, and are full of patients, while that at Bolivar, in West Tennessee, is rapidly approaching completion, and will soon be ready for occupation. This is the dearest charity the State extends, and it reflects honor upon your predecessors that they have made such ample provision for the stricken of God. Scarcely any thing else could have justified such large expenditures of public money at this juncture of the State's financial affairs, but the purpose is so sacred that criticism is barred. You, gentlemen, cannot do a holier thing than to see that, as far as lies in the power of the State, she shall care for these most unfortunate of all God's creatures—human beings bereft of reason.

AGRICULTURE, STATISTICS, MINES, AND IMMIGRATION.

This Bureau has been directed almost exclusively to the promotion of agricultural interests. It has been found inadvis-

ble, with the limited resources at its command, to divide its effort. Our agricultural interests should receive first attention, but our mining and immigration interests should not be neglected. There is continual inquiry from other States for statistical information concerning Tennessee, and this office has been able to meet the demand in large measure, and it has been fruitful of good, but the appropriations have not been adequate to sustain all the departments of the Bureau. I therefore recommend that special and efficient means be instituted by your honorable bodies to meet this want, to the end that Tennessee may not be deprived of her full share of the people and the energy and the capital that is seeking location and activity and investment South. It is considered generally that our State is richer in natural resources, and has more to be developed, than any other Southern State, and that she is destined to lead them all. It lies in our power to hasten that devoutly-to-be-wished-for consummation, and in my opinion it would be wise to use extraordinary effort at once in this direction. I am especially interested in this matter, for I verily believe that along this line lies the way to riches and development, and I am sure that every patriotic Tennessean, who loves his State and desires to serve his people best, will furnish his best endeavor to promote the interests here briefly indicated. This Bureau should be liberally sustained in all its branches, and its efficient management and the good work it has done commends it to you as worthy of being endowed with more efficient means for executing its beneficent designs.

FORESTRY.

I commend to you the suggestions of the *Southern Lumberman* newspaper with respect to forest areas, which will be brought before your honorable bodies. The waste of timber portends appalling disaster to our lumber interests in the future. Vigorous means should be instituted to stem the waste and supply the loss.

THE STATE BOARD OF HEALTH.

This department, which modern science has demonstrated so valuable and necessary in the administration and economy of a

well organized State, I again call your attention to, and ask for it your favorable consideration. During the two years just ended those dreaded scourges of the human race, small-pox and yellow fever, have threatened the health and lives of the people of Tennessee, but through the prompt and wise action of the State Board of Health the one was successfully circumscribed in the several localities to which it had been imported, and the other was prevented a lodgment in the State, though it prevailed in a malignant and epidemic form just beyond our Southern border in a sister State.

The importance of placing at the disposal of this Bureau a contingent fund is a recommendation which I desire to emphasize, as experience has time and again demonstrated that success in combatting those epidemic diseases which in the past have swept over our State like terrific cyclones, leaving death and desolation in their tracks, and demoralizing and destroying commerce to a superlative degree is attained in proportion as such efforts are early, energetically, and intelligently made, and to enable the State Board of Health thus to act, such a fund should be provided for the purpose. I commend to you the several measures which, during your session, the State Board of Health may bring before you; especially would I ask your favorable consideration of the measure providing a system of registration of births, marriages, and deaths in Tennessee.

All the more enlightened States and nations of the world possess such statistics, and find them as essential to good government.

This is a long-felt want in Tennessee, and as we are fast becoming a very populous State the necessity for such data is daily becoming more imperative.

It became imperatively necessary during the late yellow fever epidemic, which approached our borders with such fearful menace, to use extraordinary quarantine precaution, and such danger not being foreseen and provided for by appropriation, I was forced, in order to protect the people, to order the sum of

two thousand dollars placed at the disposal of the State Board of Health, and the success of their effort was a gratifying demonstration of the wisdom of the act. The expenditure was made at the urgent request of the State Board of Health and by the concurrent advice of the Treasurer and Comptroller.

I recommend that your honorable bodies ratify my action and make an appropriation not only to cover the expenditure but to provide for future contingency, such appropriation to be held in reserve only for such dangerous and imminent necessity as that just experienced.

ELECTION LAWS.

While our election laws are in most respects adequate, yet it seems that the rapid growth of our cities has made more prevalent an evil that is not sufficiently provided against by the law. Many men vote more than once, and it is impossible to fully prevent it, hard to detect them, and more difficult to punish them. In my opinion a well-devised registration law would meet the case.

I recommend also that your honorable bodies pass an act more clearly defining the composition, powers, and duties of the Board of Canvassers of election returns. Much complication has recently grown out of the lack of accuracy with which the existing statutes can be construed, and the executive has felt impelled to submit to what otherwise would be an indignity upon the executive office in order to have them construed definitely, but that end was not reached, and they remain yet in obscurity. In view of the fact that I am responsible through you to the people to execute the trusts confided to the executive office, and maintain its dignity and defend its prerogative, it is proper that I communicate to you the facts in relation to the matter referred to. It would seem at first blush that the facts now about to be related bear no relation to State affairs, and not proper matter for your consideration, but in view of the fact that the right of a member to sit in one of your honorable bodies is involved in the same facts, that the law is obscure and

not generally correctly understood, and because the power of the executive under the laws of your creation is brought in question and needs to be more clearly established and guarded from assault, it is not only proper but eminently necessary that the statement be comprehensively made.

I was approached on Tuesday, November 20th, by a number of gentlemen, friends of Hon. Creed F. Bates, a candidate for Congress in the third district, who represented to me that, although the returns already in showed his defeat by 288 votes, they were able to show that it was compassed by fraud, and that in the eighth districts respectively of the counties of Rhea and Meigs there had been such irregularities as would justify the canvassing board in rejecting the votes there cast, and in that event that Mr. Bates was elected by one vote, and was entitled to the certificate. They represented that their antagonist, Mr. Evans, would, without doubt, seek to restrain the board from issuing the certificate; and that, in order to avoid complication and facilitate the decision of the board, it would be advisable to prepare a certificate for Mr. Bates, and have it ready to be issued instantly after the vote was canvassed and the frauds revealed. I thereupon assented, and caused to be prepared a certificate with Mr. Bates' name upon it, and had the seal attached, but gave special direction to the Secretary of State's clerk—the Secretary himself being absent, and never as yet having been consulted—that the document was not to be considered as issued, and was not to be entered nor copied into his register until further orders—*i. e.*, until an investigation was had and it was found that the facts would justify the exclusion of the votes in the two districts referred to. Afterward I met the Secretary of State, and with him canvassed the vote, and, retiring, we investigated the law, and I immediately concluded that the facts and the law would not justify me in throwing out the two districts, and that therefore the certificate already partially prepared should not be issued, and it was thereupon destroyed. After argument and consultation I was still of the opinion that Mr. Evans was entitled to the certificate, and I so announced. The Secretary of State disagreed with me, and declined to attest my signature to the certificate, and I was im-

mediately enjoined from issuing and delivering the certificate to Mr. Evans. The investigation of the returns not only showed that Mr. Evans was elected, but, even if the amended returns were accepted and the two districts thrown out, still Mr. Evans was elected, because an amendment from Bradley County increased his majority by four votes, thus overcoming Mr. Bates' majority of one, and leaving Mr. Evans a clear majority of three. I submitted to the restraining process, because I did not think it advisable to place the executive office in the attitude of being disrespectful to the courts, and confident that, upon a hearing of a plea to the jurisdiction, the wisdom of the Chancellor would reveal to him that the Governor was not amenable to a subordinate court, and could not be restrained in the performance of an act in the line of his sworn duty. This confidence was justified in the issue, the Chancellor so holding. The cause was appealed and is now pending; but the question at issue is the validity of the certificate at first partially issued, and does not involve a construction of the statutes as here recommended, so that the necessity still remains to have your honorable bodies revise these statutes.

The copy of the certificate filed in the cause now pending is a fabrication. There was no record of it in the Secretary of State's office from which a copy could be made, and never had been, and it was expressly ordered that there should not be. The pretended copy, certified to as being a copy of one on record, could not have been a copy, because there was no original of record from which to copy, and it was, therefore, a fabrication. The law that authorizes the Secretary of State to deliver a copy of any document of record in his office to any person applying not pertaining to the executive office, and in the Governor's judgment necessary to be kept a secret, cannot be held to authorize him to make the original and to certify to a copy of a document that never so existed, and was never of record in his office, which he never saw, and which was expressly and specifically declared by the Governor not to be a complete instrument, and its existence not to be revealed. The statute (Code, Sec. 227, Subsec. 11) defining the Secretary of State's duties, which requires him to keep inviolately private any in-

strument or act which may come to his official knowledge which the Governor, in his judgment, may desire to remain undiscovered, has been grossly violated in the manner described; and the pretended copy of the pretended certificate, upon which the suit now pending is predicated, is palpably unwarranted—not only unauthorized by law, but in direct violation of its plain letter.

It is gravely asserted, and the statute manifestly warrants the conclusion, that the Secretary of State has nothing to do with canvassing the vote for Congressmen, and is not a member of the board for that purpose, and this matter should be definitely declared, in order to avoid future complication. I therefore recommend that the law be simplified and made plain and certain in all its features, so that a repetition of such unfortunate complications may be impossible.

BOUNDARY LINE.

I received a communication dated September 29, 1887, from His Excellency Gov. Fitzhugh Lee, of Virginia, transmitting a joint resolution of the Virginia Legislature, reciting the statement that the true line between Virginia and Tennessee had never been definitely ascertained, and authorizing the Governor to confer with the Governor of Tennessee and arrange, if possible, for its ascertainment; and that failing, the Governor was authorized to employ counsel and institute proceedings to determine it in the courts. To this communication I had the honor to reply that I would “decline to take any steps toward reopening a question which had so long been regarded by the State of Tennessee as permanently settled.”

To this Governor Lee responded that the Attorney-General of Virginia had been instructed to examine the matter, and, if necessary, bring suit in the Supreme Court of the United States. I have not been advised that any further action has been taken, but I am informed that an indirect suit has been brought in the disputed territory that involves the question, and it is now pending. In view of the premises and of the

fact that the territory in dispute comprises a large section of our most valuable domain. I recommend that the Attorney-General of the State be instructed and empowered to represent the State in any cause that may be instituted, and that a sufficient appropriation be made to defend the action in any manner it may be brought.

FIRE CORONERS.

The statistics reveal an alarming increasing destruction of property by fire. Incendiarism plays a large part in the terrible havoc, and carelessness much more. Our laws are defective in that there is no provision anywhere which looks to an avoidance of the dangers. Incendiarism is punished severely after the event, when the culprit is caught, but it is not deterred in advance. It has recently been found practicable in many States to confer upon Coroners the same powers for holding inquests upon conflagrations that they now have with respect to suddenly deceased persons, in order to ascertain and determine at once the cause of the fire and locate the responsibility. When it is known that the Coroner stands ready to pounce upon the premises thus, incendiaries will be deterred and the careless man thrown upon his guard.

This suggestion does not involve any new offices nor any extra expense, but simply extends the powers of the Coroners already existing. I have a mass of information and statistics bearing upon this matter which I shall be pleased to furnish your committee should you deem the matter of sufficient importance to investigate its practicability and the probable good results that may follow.

OFFICIAL STENOGRAPHERS.

I hand you herewith a resolution passed by the Tennessee State Bar Association recently recommending the creation of the office of official stenographer to be attached to such courts as may be deemed expedient. The advancement made in this science in the past few years is astonishing, and it is rapidly

being engrafted in business in all lines. It may be found that it will so expedite business in courts that it will be a saving rather than an expense. I commend it to your consideration, and will be pleased to furnish you with further information and statistics should you desire it.

STATE BAR ASSOCIATION RESOLUTION.

Be it resolved, that it is the sense of the "State Bar Association" that by legislation the office of Official Stenographer be created, to be connected with such Circuit, Chancery, and Criminal Courts throughout the State as shall be deemed expedient for the expedition of business of such courts.

That whenever, in the opinion of the judge of such courts, the appointment of such an officer will expedite business, he be authorized and empowered to appoint a competent short-hand reporter, who shall be known as the official stenographer of said court, and shall make verbatim reports of such causes as directed by the judge or chancellor thereof, and his report shall be made a part of the bill of exceptions, or record, of the cause then on trial, and after being sworn to faithfully and impartially report all proceedings, his report shall be transcribed on appeal as a part of the record of the cause in which he was engaged.

That his fees shall be fixed by the court, and taxed as other costs in the proceeding.

THE NATIONAL GUARD.

Your immediate predecessors passed an act authorizing the organization of a National Guard, State of Tennessee, and in response to the invitation thus extended a large number of our citizens have volunteered, until now we have the most thoroughly organized and equipped militia that ever existed in Tennessee. The report of the Adjutant-General accompanying shows an organized brigade of three regiments, a regiment of artillery and many independent companies not yet assigned.

The Guard is composed of the very flower of our young men, and they have responded to your call with zeal, and are reflecting honor upon the Commonwealth as well as providing for its defense in case of need.

The National Government has been very generous with them, having furnished nearly \$22,000 worth of equipments for them. In view of the fact that this organization is in response to your invitation, it seems to me to be incumbent upon the State to be generous and liberal in their support.

The organization of this army has about quadrupled the labors of the Adjutant-General, and I therefore recommend that he be given additional compensation. The appropriation from the State has been only \$200 a year for its organization, equipment, and support, and to pay the current expenses of the Adjutant-General's office. The Legislature that provided this little sum did not possibly conceive what their legislation would lead to, and it therefore devolves upon you to meet the demands legitimately following their action.

MEXICAN WAR VETERANS.

The Congress of the United States, after long delay, has at last granted limited justice to the veterans of '47.

Tennessee took heroic part in that memorable war, and many of the survivors and their descendants live still in her borders and elsewhere. The records and rolls of the Tennessee volunteers exist in the Adjutant-General's office in a state of chaotic mutilation that defies unravelling. In order to establish their claim to pensions the survivors frequently must establish the record of their services from these records. But in their mutilated and mixed condition it is impossible to furnish the information needed, and they must of necessity be turned away without the record that would secure their pension. I recommend, therefore, that a sufficient appropriation be made to systematize these records and papers to the end that these persons may be supplied with the facts that would entitle them to the benefit of pension.

HEATING THE CAPITOL.

The manner in which the capitol building is heated is a fruitful source of unhealthfulness, and unnecessarily expensive. Each room has its own heater, and they must be kept excessively warm on account of the cold stone walls and floors, and when a person is compelled to step out into the halls where the cold blasts hold high carnival, he does so at the risk of pneumonia. It would be perhaps less expensive to the State to have the whole building heated by steam, so that all parts of it may be always comfortable. It would be impossible to count the officers, attaches, and visitors who have been made seriously sick, and it occurs to me that, in the interest of humanity, to say nothing of the retrenchment in expense, your honorable bodies would be justified in ordering the change suggested.

CONCLUSION.

The reports of the various departments are submitted for your inspection, to each of which I call your attention.

There are many matters of importance that call for investigation, which your wisdom will suggest. Confident in your ability to discern them, and your sagacity to apply the proper remedies, I need not further trespass upon your attention.

ROBERT L. TAYLOR.

Governor.



